

State of California  
Business, Transportation and Housing Agency  
Department of Transportation

POLICY MATTERS  
Status of In-Progress Environmental  
Reviews  
Informational Item

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## **DEPARTMENT'S PLAN FOR WORKING WITH FEDERAL ENVIRONMENTAL AGENCIES FOR IDENTIFYING IN-PROGRESS ENVIRONMENTAL REVIEWS**

### **SUMMARY**

The Department of Transportation (Department) is currently working on three fronts to expedite in-progress environmental reviews and streamline the environmental work product review process by the federal resource agencies. The general areas the Department is developing are tracking of environmental documents and technical reports, development of stronger working relationships with the federal resource agencies, and the implementation of administrative actions to facilitate the streamlining of the environmental review process.

### **DISCUSSION**

#### **Tracking of Environmental Documents and Work Products**

The Department has implemented a pilot "web-based" environmental work product-tracking system with Federal Highway Administration (FHWA). The tracking system will be used by the Department's Districts and FHWA to track work products such as environmental impact statements, negative declarations, and technical reports (e.g., biological assessments, cultural reports) requiring FHWA review and subsequent federal resource agency review and concurrence. The tracking system begins with the District sending a work product to FHWA, and noting the date on the web-based tracking system. FHWA then reviews the submitted work product and sends it to the appropriate resource agency for action, again updating the tracking system. When the resource agency responds and sends it back to FHWA, it is noted on the system. On the date the document is returned to the District, a final notation is made. The web-based tracking system will be monitored by the Districts and when agreed upon (regulatory review) time lines are exceeded, the District will contact either FHWA or the appropriate resource agency to determine if there are issues which could be addressed expeditiously.

#### **Strengthening Of Personal And Working Relationships**

- The Tri-Agency Committee, led by the agency secretaries from the Business, Transportation & Housing Agency, the Resources Agency, and California Environmental Protection Agency, is currently initiating the inclusion of the federal resource agencies into the Tri-Agency Committee efforts. The Tri-Agency Committee, with federal resource agency involvement, will allow the

development of stronger personal and working relationships between upper level managers of the Department and the federal agencies. Stronger working relationships resulting from the Tri-Agency Committee efforts will facilitate better communications and resolution of environmental issues in a timely manner.

- Each of the Department's District Directors has initiated coordination meetings with their regional state and federal resource management counterparts to foster personal and professional relationships. Relationships developed from these meetings will allow district staff to communicate more effectively with the resource agencies. These improved communications will allow District managers to directly contact their counterparts, resolve issues and determine the current status of work products being reviewed by the various resource and regulatory agencies.
- The Department is currently initiating a formal environmental partnering program with the state and federal resource and regulatory agencies, which is based on the successful partnering program the Department's Construction Division has implemented. The Environmental Partnering Program is being developed by upper managers from the Department, FHWA, federal resource agencies (Fish and Wildlife Service, National Marine Fisheries Service, U.S. Corps of Engineers, U.S. EPA) and numerous state resource and regulatory agencies (Fish and Game, Coastal Commission, State Historic Preservation Officer). This program will institute early and continuous partnering between the Department, FHWA, and federal and state resource and regulatory agencies during the project development process. It is anticipated this partnering effort will allow resolution of issues in a timely manner, hence cutting down review times at the state and federal resource agencies.

### **Implementation of Administrative Efficiencies**

In July 2001, the Department submitted to the Secretary of the U.S. Department of Transportation a proposal to streamline environmental compliance through the adoption of a set of administrative efficiencies between FHWA and the Department. A base premise of the efficiencies is quality, well-organized environmental documents and technical reports that could be more quickly reviewed and approved by FHWA and the federal resource agencies. Included in the administrative efficiencies currently in place or being developed are:

- Definition and commitments to timeline deadlines to expedite environmental document and technical studies review to facilitate sending of the work products to the resource agencies for review and approval.
- Delegation of the Federal Section 7 Endangered Species consultation authority. This will allow the Department to deal directly with the U.S. Fish and Wildlife Service (FWS) and the National Marine Fisheries Service (NMFS) on informal consultation thereby streamlining and closing the review loop for projects that have minor endangered species issues. This will result in closer relations between FWS and NMFS and the Department staffs resulting in quicker turn around times for transportation projects.
- Standardization of environmental documents, technical report formats and accompanying templates for standardized reports which will be easier and quicker to review for the federal and state resource agencies.

